

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION

ADRIAN GILLIARD.,  
*Plaintiff*,

v.

GROESBECK POLICE DEP'T, et al.,  
*Defendants*.

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6:23-CV-00036-ADA-JCM

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 16. The Report recommends that Plaintiff's Motion for Clerk's Entry of Default (ECF No. 5) be DENIED and that Defendants' Motion to Dismiss (ECF No. 10) and Defendants' Motion to Dismiss (ECF No. 11) be GRANTED. *Id.* The Report and Recommendation was filed on May 10, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), overruled on other grounds by *Douglass v. United States Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996)).

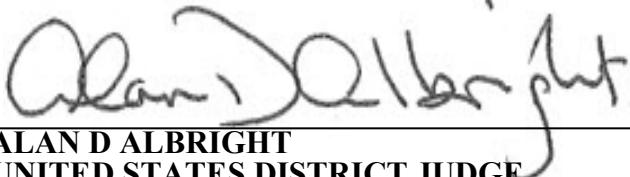
Plaintiff filed an objection on May 19, 2023. ECF No. 17. The Court has conducted a *de novo* review of the motion to dismiss, the responses, the report and recommendation, the objections to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Manske, ECF No. 36, is **ADOPTED**.

**IT IS FURTHER ORDERED** that Plaintiff's objections are **OVERRULED**.

**IT IS FINALLY ORDERED** that Plaintiff's Motion for Clerk's Entry of Default (ECF No. 5) is **DENIED** and that Defendants' Motion to Dismiss (ECF No. 10) and Defendants' Motion to Dismiss (ECF No. 11) are **GRANTED**.

**SO ORDERED and SIGNED** this 26th day of May, 2023.



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ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE